

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/942,252	08/28/2001	Messier	GENO 200.2/CIP

CONFIRMATION NO. 6811

## FORMALITIES LETTER



\*OC00000006988764\*

25871  
SWANSON & BRATSCHUN L.L.C.  
1745 SHEA CENTER DRIVE  
SUITE 330  
HIGHLANDS RANCH, CO 80129

Date Mailed: 10/29/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01/14/2002 AGOITON 00000063 195117 09942252

FILED UNDER 37 CFR 1.53(b)

~~01 FC:581~~~~40.00 OP~~

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$908.
 

01/14/2002 AGOITON	00000063	195117	09942252
			65.00 OP
			54.00 OP
			420.00 OP
			335.00 OP
			35.00 CH

  - \$108 for 6 total claims over 20.
  - \$800 for 10 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1748.**
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR

1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

**For questions regarding compliance to these requirements, please contact:**

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)**

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*A copy of this notice **MUST** be returned with the reply.*

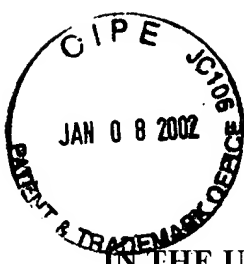


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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Attorney Docket No. GENO 200.2/CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: MESSIER ET AL.  
SERIAL NO.: 09/942,252  
FILED: August 28, 2001  
TITLE: METHODS TO IDENTIFY  
POLYNUCLEOTIDE AND  
POLYPEPTIDE SEQUENCES  
WHICH MAY BE ASSOCIATED  
WITH PHYSIOLOGICAL AND  
MEDICAL CONDITIONS

EXAMINER:  
ART UNIT:  
CNFRM NO.: 6811

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Box: Missing Part

Dear Sir:

**REPLY TO NOTICE TO FILE MISSING PARTS**

1. The applicant hereby replies to the "Notice to File Missing Parts of Nonprovisional Application," mailed October 29, 2001. Part 2 of the Notice is enclosed. In reply to the Notice, the applicant submits:

- (a) the basic filing fee of \$355.00;
- (b) additional claims fee of \$454.00;
- (c) surcharge fee of \$65.00;
- (d) assignment recordation fee of \$40.00;
- (e) a combined declaration and power of attorney signed by the inventors;
- (f) assignment and assignment recordation form cover sheet;
- (g) copy of raw sequence listing error report;
- (h) statement under 37 C.F.R. § 1.821(f); and
- (i) paper and disk copies of the sequence listing.

2. Enclosed is a check for \$914.00. The check covers the filing fee (\$355.00), the additional claims fee (\$454.00), the surcharge (\$65.00), and the fee for recording the assignment (\$40.00).

**37 CFR 1.8**

**CERTIFICATE OF MAILING**

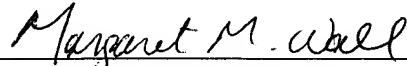
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231 on November 14, 2001

Signature: 

Name: Cindy Bennett

The undersigned hereby authorizes the charge of any required fees not included or any deficiency of fees submitted herewith to be charged to deposit account No. 19-5117.

Respectfully submitted,



---

Margaret M. Wall, \$33,462  
Swanson & Bratschun, L.L.C.  
1745 Shea Center Drive, Suite 330  
Highlands Ranch, Colorado 80129  
(303) 268-0066



Section  
Box-seq

PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ ) 914.00

## Complete if Known

Application Number	09/942,252
Filing Date	August 28, 2001
First Named Inventor	Messier, et al.
Examiner Name	
Group Art Unit	Cnfrm #6811
Attorney Docket No.	GENO200.2/CIP

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge \*  
~~XXXXXX~~ and credit any overpayments to:
- Deposit Account Number: 19-5117 \* any deficiency
- Deposit Account Name: Swanson & Bratschun, LLC
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:
- ☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

1. BASIC FILING FEE					
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)		
101	710	201	355	Utility filing fee	\$355.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1)					(\$ ) 355.00

2. EXTRA CLAIM FEES					
Total Claims		Extra Claims		Fee from below	
26	-20** = 6	6	x \$9.00 =	54.00	
13	-3** = 10	10	x \$40.00 =	400.00	
Multiple Dependent					

Large Entity Small Entity					
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple dependent claim, if not paid	
109	80	209	40	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$ ) 454.00

\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

3. ADDITIONAL FEES					
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)		
105	130	205	65	Surcharge - late filing fee or oath	\$65.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	\$40.00
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$ ) 40.00

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Margaret M. Wall	Registration No. (Attorney/Agent)	33,462
Signature	<i>Margaret M. Wall</i>	Telephone	303-268-0066
		Date	November 14, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.